



**PASHMAN STEIN**  
A PROFESSIONAL CORPORATION  
COUNSELORS AT LAW

April 20, 2010

**VIA ELECTRONIC FILING**

Honorable Esther Salas, U.S.M.J.  
United States District Court  
M.L. King, Jr. Federal Bldg. & U.S. Courthouse  
50 Walnut Street - Room 2060  
Newark, New Jersey 07101

**Re: *N.V.E., Inc. v. Jesus Palmeroni, et al.***  
**Docket No. 2:06-CV-05455 (GEB) (ES)**  
**Our File No. 6026-044**

Dear Judge Salas:

As the provisional discovery end date in this matter is April 22, 2010, we respectfully seek the Court's permission to serve a Second Request for the Production of Documents on defendant, Jesus Palmeroni, based upon the fact that by letter dated April 10, 2010, we were served with checks and other documents identifying the entity into which the **\$466,949.35** in NVE "shared commissions" was funneled as "National Retail Consulting Group, Inc." Having now been provided with this information, we are compelled to secure the following from Mr. Palmeroni, who admits to wholly owning this company:

- 1) Information about National Retail Consulting Group, Inc., including its dates of incorporation, shareholders and officers, annual reports, applications to do business in various states and income tax returns filed for this entity;
- 2) Documents reflecting bank accounts maintained by National Retail Consulting Group, Inc. from 2000-present, in part to determine whether it is a viable company with assets that needs to be added as a defendant in this matter;
- 3) Both Mr. Palmeroni's individual tax returns and those filed for National Retail Consulting Group, Inc. for

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2000-2006, since Mr. Palmeroni has described these payments as "supplemental compensation" from NVE, which is, of course, taxable.

In view of the fact that the materials reflecting both the extent of the 50% "commission split" and the recipient of the moneys was just provided to NVE, we respectfully request the opportunity to secure these crucial records.

Thank you for your consideration of this request.

Respectfully,

A handwritten signature in cursive script, appearing to read "Ellen W. Smith".

ELLEN W. SMITH

EWS/se

pc: Neil Grossman, Esq. (via electronic filing)  
David Rostan, Esq. (via electronic filing)  
C. Ronald Stafford, Esq. (via electronic filing)